

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

United States of America,

vs.

Plaintiff,

Case No.: 23-cr-00241-SJM-1

Date: 9/6/2024

Court Time: 1:39 p.m. to 2:10 p.m.

Cody Paul Miller,

Defendant(s).

**MINUTE SHEET - SENTENCING**

Stephen J. Murphy III, U.S. District Judge

C. Butler, Deputy Clerk

Leslie Ruiz, Reporter

Crt Rm 4

Counsel for Plaintiff: Matt CyranCounsel for Defendant: Ben Hilfiger

Appt.

Probation Officer: Logan Harrison

Interpreter: \_\_\_\_\_

☐ sworn; ☐ N/A☒ Defendant appears in person with counsel☐ Counsel waived☐ Evidentiary☒ Plaintiff & Defendant reviewed PSI:☒ Objs by:☐ Pltf☒ Deft;☐ No Objs;☐ Court adopts/accepts☒ 18:3553 Findings re: PSI/Sentence made;☐ Findings re: Plea Agreement Accepted☐ Court affirms finding of guilt and accepts guilty plea before U.S. Magistrate Judge☒ Sentence re: Guideline; ☒ Findings made;☐ Departure:☐ Variance:☐ Upward☐ Downward☐ Victim present and heard; ☐ Victim present ☒ Victim not present☒ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown☐ Motion [Dkt. \_\_\_\_\_]: ☐ Granted ☐ Denied ☐ Granted/Denied in part ☐ Moot☐ Motion [Dkt. \_\_\_\_\_]: ☐ Granted ☐ Denied ☐ Granted/Denied in part ☐ Moot**SENTENCE: As to Count(s) 2 of the Indictment :**☒ Bureau of Prison for a term of138 months☐ Concurrent☐ Consecutive☐ Not Imposed☐ Probation for a term of \_\_\_\_\_☐ Concurrent☐ Consecutive☐ Not Eligible☒ Supervised Release for term of5 years☐ Concurrent☐ Consecutive☐ Not Imposed☐ Fine:

\$ \_\_\_\_\_

☐ With Interest☐ Interest Waived☒ Not Imposed☐ Restitution:

\$ \_\_\_\_\_

☐ With Interest☐ Interest Waived☐ Not Applicable☒ Special Monetary Assessment \$ 100☒ Due Immediately☐ As  
Directed☐ JVT Assessment (18 USC 3014) \$ \_\_\_\_\_☐ Waived-Defendant found indigent☐ Not Applicable☐ AVAA Assessment (18 USC 2259) \$ \_\_\_\_\_☐ Waived-Defendant found indigent☐ Not Applicable☐ Order of Forfeiture [Dkt. \_\_\_\_\_]: is hereby incorporated into the Judgment by reference**STANDARD CONDITIONS as previously adopted by this court including the following additional conditions:**☒ Firearm, Ammunition, et al Restriction☐ Gambling; ☐ to include treatment☒ DNA Sample☐ Home Detention Condition - \_\_\_\_\_ months\*☒ Controlled Substances Restriction☐ Immigration☒ Drug Testing ☐ Drug Testing Suspended☒ Mental health ☐ to include treatment☐ Alcohol Abstinence☒ No contact with Victim☐ Anger Management☐ Search & Seizure☐ Community Confinement - \_\_\_\_\_ months☒ Sex Offender - Paragraphs 1-3 and 7☐ Community Service - \_\_\_\_\_ hours☐ Sober Living☐ Computer Restriction☒ Substance Abuse Treatment & Testing☐ Curfew - \_\_\_\_\_ months\*☐ Workforce Development☐ Domestic Violence Program☐ Financial\*Entire cost of the electronic monitoring shall be paid by: ☐ Prob ☐ Deft☒ Defendant advised of right to appeal

Court recommends to BOP:

☐ Appeal affidavit required☒ Designate a facility located in or near: FCI Englewood, CO☐ Maximum Security Facility where Incoming and Outgoing Mail is monitored☒ Residential Drug Abuse Treatment☐ Mental/Medical Evaluation☒ Most comprehensive mental health treatment available☐ Other: \_\_\_\_\_☐ Deft to self surrender to designated institution by 2:00 p.m. on: \_\_\_\_\_, U.S.M. to advise of institution; ☐ Findings made☒ Remaining counts ordered dismissed: none☒ Defendant remanded to custody of U.S. Marshal**Additional Minutes:** Defendant's objections to the PSR are overruled.